

IAP20 REG GPO/PTO 15 DEC 2005

Re Point V

Reasoned statement in respect of novelty, inventive step and industrial applicability; citations and explanations supporting such statement

1 Documents for the prior art

Reference is made to the following documents in the present opinion:

- D1: DE 100 30 465 A1 (ROBERT BOSCH GMBH) 3 January 2002 (2002-01-03)
D2: GB-A-2 376 118 (AUTOLIV DEVELOPMENT AB) 4 December 2002 (2002-12-04)
D3: PATENT ABSTRACTS OF JAPAN vol. 2000, no. 04, 31 August 2000 (2000-08-31) & JP 2000 025562 A (TOYOTA CENTRAL RES & amp; DEV LAB INC) 25 January 2000 (2000-01-25)
D4: WO 03/082639 A (AUTOLIV DEVELOPMENT AB; MATHEVON, VINCENT) 9 October 2003 (2003-10-09)
D5: DE 101 45 698 A1 (HONDA GIKEN KOGYO K.K., TOKYO) 23 May 2002 (2002-05-23)

2 Claims 1 to 11

2.1 The present application does not satisfy the requirements of Article 33(1) PCT, as the subject matter of claim 1 is not novel in the sense of Article 33(2) PCT.

Document D1 discloses (the references in brackets relate to said document, see figures) a method for activating a person protection system (10) in a vehicle (1), with a sensor device (3) on the fender (2) being used to measure the pressures and/or deformations caused by an impact (column 3, lines 25-27) and an evaluation means (16) being used to form a first criterion (17) from the output signal of the sensor device (3) for deciding whether pedestrian impact has occurred, as a function of which a first, valid alone per se, activation decision is made for a protection system (10), the actual activation decision (a) being a function of a second, valid alone per se, activation decision formed from a second criterion (21), which is determined by means of a physical principle (13, 14, 15) that is different from the sensor device (3).

The features of the independent claim 1 are disclosed by document D1 and by documents D2 and D3; the subject matter of claim 1 is therefore not novel.

2.2 The same reason as given under 2.1 applies correspondingly to the independent claim 7. The subject matter of claim 7 is therefore not novel (Article 33(2) PCT).

2.3 The dependent claims 2 to 6 and 8 to 11 contain no features that, in combination with the features of any claim to which they relate, satisfy PCT requirements in respect of novelty (Article 33(2) PCT) or inventive step (Article 33(3) PCT). The reasons for this are as follows:

The additional features of the dependent claims 2, 3, 8 and 9 are known from document D1, see figures.

The dependent claims 4 to 6 relate to a slight change to the method according to claim 1, which is within the bounds of what a person skilled in the art tends to do based on their normal considerations, in particular as the advantages thereby achieved can be foreseen without further ado.

The dependent claims 10 and 11 relate to a slight change to the device according to claim 7, which is within the bounds of what a person skilled in the art tends to do based on their normal considerations, in particular as the advantages thereby achieved can be foreseen without further ado.

The subject matter of claims 2, 3, 8 and 9 is therefore not novel and the subject matter of claims 4 to 6, 10 and 11 is not based on an inventive step.

3 Industrial applicability

The subject matter of claims 1 to 11 does not appear to satisfy the requirements of Article 33(4) PCT, as it appears that it can be produced or implemented and also used in the field of vehicle technology at least.